

Applicants: Randy S. Bethiel et al.
Application No.: 10/700,936

REMARKS

The Claim Amendments

Applicants have amended claim 1 to include hydrogen as a substituent for R^3 and to clarify the heterocyclic moieties formed by R^1 and R^2 . Support may be found in originally-filed claim 1 and throughout the specification and claims. See, e.g., page 17, paragraph [0064]. Applicants have amended claims 2, 18 and 19 to provide antecedent basis for the terminology for the heterocyclic moieties recited in claim 1. Applicants have amended claims 12, 21 and 22 to correct a typographical error. Applicants have amended claims 16-22 to correct claim dependencies. Applicants have also amended claims 17 and 18 to delete the term "general". Applicants have amended claim 19 to correct typographical errors and to recite optional substitutions for certain substituents. Support may be found throughout the specification and originally-filed claims. See, e.g., originally-filed claim 1. Applicants have amended claim 23 to more clearly show the bonds for the SO_2 substituent on various compounds. None of these amendments adds new subject matter. Their entry is requested.

The Response

The Restriction Requirement

The Examiner has acknowledged applicants' election of Group I and has withdrawn claims 26-29 from prosecution.

Applicants request that, upon allowance of the elected claims, that claims 26-29 be rejoined with the claims of Group I.

The Claim Objections

The Examiner has objected to claim 1 because the notation for the choices for R^1 and R^2 are not consistent. Applicants have amended the notations for the heterocyclic moieties, thus obviating this objection.

The Examiner has objected to claims 17 and 18 because of the phrase "general structure of Formula IIIa or IIIb", and has recommended deleting the term "general" from

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said phrase. Applicants have amended the claims as recommended by the Examiner, thus obviating this objection.

The Examiner has objected to the term "methylene dioxy" in claim 22 and has suggested amending it to "methylenedioxy." Applicants have amended this term in claims 12, 21 and 22, thus obviating this objection.

The Examiner has objected to the manner in which the bonds of the SO₂ substituent were drawn in claim 23. Applicants have redrawn these bonds, thereby obviating this objection.

The Rejections Under 35 U.S.C. §112, Second Paragraph

The Examiner has rejected claims 2, 7, 12 and 18-22 for allegedly being indefinite.

The Examiner states that in claims 2, 18 and 19, the recitation of "heterocycle I" is unclear and lacks antecedent basis. Further, the Examiner states that both "I" is used to indicate the main core structure and one of the choices for R¹ and R².

Applicants have amended claim 1 to rename the heterocyclic moiety of formula I to formula (a). Applicants have amended claims 2, 18 and 19 to reflect this change, thus obviating this rejection.

The Examiner states that claim 7 is improperly dependent upon claim 1 because hydrogen is not a substituent for R¹ in claim 1, from which claim 7 depends.

Applicants have amended claim 1 to recite that hydrogen can be a substituent for R³, thus obviating this rejection.

The Examiner states that in claims 12, 21 and 22, the term "aminophenyl" as a substituent for ZR³ is not clear. Applicants have deleted this substituent, thereby obviating this rejection.

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Conclusion

Applicants request that the Examiner enter the above amendments, consider the accompanying arguments, and allow the claims to pass to issue. Should the Examiner deem expedient a telephone discussion to further the prosecution of the above application, applicants request that the Examiner contact the undersigned at his convenience.

Respectfully submitted,



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